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# MODEL TOBACCO-FREE WORKSITE POLICY

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WHEREAS, cigarette smoking is responsible for more than 480,000 deaths per year in the United States, including more than 41,000 deaths resulting from secondhand smoke exposure; contributing to about one in five deaths annually, or 1,300 deaths every day; and

WHEREAS, scientific studies have concluded that cigarette smoking can cause chronic lung disease, coronary heart disease, and stroke, in addition to cancer of the lungs, larynx, esophagus, and mouth; and

WHEREAS, people who use smokeless tobacco ingest a similar amount of nicotine as regular smokers and are exposed to at least 30 chemicals that are known to cause cancer; and

WHEREAS, cigar smoke, like cigarette smoke, contains toxic and cancer-causing chemicals that are harmful to both smokers and nonsmokers; and

WHEREAS, the Surgeon General has determined that there is no safe level of exposure to secondhand smoke; and

WHEREAS, e-cigarette aerosol contains harmful and potentially harmful chemicals such as Nicotine, Diacetyl, Benzene, and Tin. Exposure to e-cigarette aerosol has not been proven to be safe; and

WHEREAS, as an organization committed to the health and safety of its employees, patients, and visitors, it is **[name of organization]**'s responsibility to take a leadership role on the major public health issue of tobacco usage.

**[Name of organization]** adopts the following Tobacco-Free Worksite Policy:

## Definitions

- 1) "Tobacco Product" means
  - a) any product containing, made, or derived from tobacco or that contains nicotine that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested, or by any other means, including but not limited to a cigarette, a cigar, hookah, pipe tobacco, chewing tobacco, snuff, and snus.
  - b) any product, regardless of whether or not it contains nicotine, that can be used to deliver nicotine or another substance or solution in any form, including but not limited to aerosolized, vaporized, or heated, to the person inhaling from the device, including but not limited to an e-cigarette, e-cigar, e-pipe, vape pen, e-hookah.

- c) notwithstanding any provision to the contrary, “Tobacco Product” includes any component, part, or accessory intended or reasonably expected to be used with a Tobacco Product, whether or not sold separately. The term “Tobacco Product” does not include drugs, devices or combination products approved for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.
- 2) “Facility” includes, but is not limited to office buildings, parking lots, private vehicles on **[name of organization]** property and **[name of organization]** vehicles, regardless of whether a **[name of organization]** facility or property is owned, leased, or rented and whether or not the owner or other tenants follow similar guidelines.

### **Tobacco-Free Campus Policy and Procedures**

- 1) No person, including all employees, staff, visitors, students, volunteers, vendors, and contractors of the facility, shall use any form of Tobacco Product at or on any facility operated by, funded by, or owned by **[name of organization]**. These facilities include **[insert specific facilities here]**.
- 2) The sale or distribution of Tobacco Products is not permitted at any facility operated by, funded by, or owned by **[name of organization]**.
- 3) The tobacco-free policy does not apply to a site that is being used in connection with the practice of cultural activities by American Indians that is in accordance with the American Indian Religious Freedom Act, 42 U.S.C. 1996 and 1996a, whether or not the public is allowed access to those places.
- 4) It is not a violation of this policy to use a product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.
- 5) This Tobacco-Free Worksite Policy is in addition to any federal, state, or local laws that restrict or otherwise regulate the use of Tobacco Products.

#### **I. Employees**

- 1) Employees are prohibited from using Tobacco Products during all paid time including breaks.
- 2) Employees are not allowed to use Tobacco Products during unpaid meal times if they remain on any **[name of organization]** property.
- 3) During unpaid meal times, employees are discouraged from using Tobacco Products on properties adjacent to **[name of organization]** facilities or properties that are not owned, leased, or rented by **[name of organization]**. Wearing a **[name of organization]** name badge while using Tobacco Products is not permitted.

- 4) During work time, the residual odor of smoke or tobacco will not be present on an employee's breath, body, or clothing. Individuals not in compliance will be asked to remedy this situation, which may require the use of unpaid time.
- 5) Employees will be encouraged to quit tobacco and offered assistance, including access to the Montana Tobacco Quit Line.
- 6) Failure to adhere to this policy will result in standard disciplinary action as defined in personnel policies.
- 7) Respectful enforcement and adherence of this policy is the responsibility of all **[name of organization]** employees. All employees are responsible for abiding by this policy. All supervisors are responsible for active enforcement of this policy.

## **II. Visitors**

- 1) Visitors will be informed of this policy through signage, publications, information posted on the **[name of organization]** website and other communication methods.
- 2) Visitors using Tobacco Products will be informed of this policy by **[name of organization]** employees. Visitors who disregard this policy or behave inappropriately may be escorted off campus and may be prohibited from visiting or attending functions on the **[name of organization]** campus.

## **III. Policy Communication**

- 1) Appropriate signs shall be posted in various locations on the campus of each facility in a conspicuous manner.
- 2) The community and visitors will be informed of the policy through a variety of communication methods which may include **[name of organization]** newsletters, the **[name of organization]** website, bill inserts, paycheck enclosures, print and electronic media, meetings, and other communication materials.
- 3) **[Name of organization]** Human Resources Department will communicate this policy to employees. Candidates for employment will be informed of the policy both during the application process and during the employee orientation process.
- 4) This Tobacco-Free Worksite Policy shall be communicated to the community **[30, 60, 120]** days prior to its effective date. This policy is effective as of **[effective date]**.

## **IV. Policy Contact Information**

For questions about this Tobacco-Free Worksite Policy, contact: **[Name, Title, & Contact Information]**

This Tobacco-Free Worksite Policy is accepted by and for **[name of organization]** by **[Name]** on **[date]**.